

Exhibit 4

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:20-cv-00019-FDW

WILLIAM F. MACKEY,
Plaintiff,

v.

WELLS FARGO BANK, N.A.,
Defendant.

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DEPOSITION
OF
WILLIAM F. MACKEY

Taken at:

Seyfarth Shaw, LLP
121 West Trade Street, Suite 2020
Charlotte, North Carolina

On Tuesday, September 22, 2020

REPORTER: CHRISTINE A. TAYLOR, RPR
Notary Public



1 another type of medication. So I don't -- now I'm
2 currently on Prozac, and that was prescribed to me
3 about three months ago.

4 Q. By whom?

5 A. I don't know. It was the sub doctor, replacement
6 doctor. Mistretta was out on leave and I went to see
7 this doctor. I don't have her name. It's a funny
8 name. But I don't have her name.

9 Q. You said you're seeing a psychiatrist?

10 A. Yes.

11 Q. Who?

12 A. His name is Dwayne. I forgot his last name. But I
13 just started seeing him about two months ago.

14 Q. Do you know who's affiliated with?

15 A. Central Emotional Health.

16 Q. Where is his office located?

17 A. I know it's in the University area. I can't think of
18 the name of the road right now.

19 Q. UNCC area?

20 A. Yes.

21 MR. SMITH: Alesha, this is all new to
22 us.

23 MS. BROWN: The psychiatry records.

24 MR. SMITH: Yeah. So I'd like to get
25 updated information on treatment and records.



1 MS. BROWN: Yeah.

2 MR. SMITH: We're going to reserve the
3 right to keep the deposition open to delve
4 further into that subject.

5 BY MR. SMITH:

6 Q. How many times have you seen Dwayne?

7 A. I'd say around about eight visits. I mean, I think
8 it's been about two months, somewhere -- give or take
9 eight visits.

10 Q. Has any healthcare professional said that your Type 2
11 diabetes has been impacted by Wells Fargo treatment of
12 you?

13 A. No.

14 Q. And has any healthcare provider opined that the
15 hypertension that you suffer from and your
16 hospitalization in 2017 or 2018 was as a result of
17 Wells Fargo's alleged treatment of you?

18 A. No.

19 Q. You were first prescribed medication for stress three
20 or four months ago; is that correct?

21 A. Yeah, in June. I believe it was in June because I
22 think that's when she went out on leave.

23 Q. And who are you referring to?

24 A. Dr. Mistretta. My primary doctor, Dr. Mistretta. I
25 believe it's spelled M-i-s-t-r-e-t-t-a.



1 Q. She's your primary care physician?

2 A. Yes.

3 Q. And why did she prescribe stress medication for you
4 beginning three or four months ago?

5 A. Well, she done a stress test on me and she prescribed
6 it.

7 Q. Did she make any diagnosis as to the cause or causes
8 of your stress?

9 A. No.

10 Q. Did she opine that the stress is a need for the stress
11 medication as a result of Wells Fargo's treatment of
12 you?

13 A. No. Well, maybe -- I don't know whether it was
14 because of my blood level, elevated.

15 Q. Has she told you that you -- your blood elevated, you
16 mean blood pressure?

17 A. Yeah, blood pressure.

18 Q. You've got high blood pressure?

19 A. Yeah.

20 Q. Has she opined your high blood pressure is as a result
21 of Wells Fargo's treatment of you?

22 A. I don't -- no.

23 Q. So we started off on this line of questioning asking
24 you about whether you had been impacted, and you said
25 financially and emotionally, and emotionally led to a



1 description of some physical symptoms, none of which
2 had been tied by a health care professional to Wells
3 Fargo's treatment of you?

4 A. Right.

5 Q. And your prior counsel dumped a couple thousand pages
6 of medical documents on us. I'm glad you-all think
7 that's funny.

8 MS. BROWN: You gave us a couple
9 thousand, too, Fritz.

10 MR. SMITH: I think ours are relevant.
11 And you asked for them. I didn't ask for
12 2,000 pages of medical documents, not one of
13 which ties your physical state to Wells Fargo's
14 treatment of you. In fact, the last record I
15 got from your counsel that relates to your
16 mental state is a report from May of this year
17 that states from the psychiatric perspective "no
18 mood changes, depression, anxiety."

19 BY MR. SMITH:

20 Q. So why did you begin seeing a psychiatrist two months
21 ago?

22 A. Well, they recommended that me -- that I go see a
23 psychiatrist.

24 Q. Who's "they"?

25 A. The doctor -- the doctor that prescribed the Prozac.



1 Q. Okay. And --

2 A. And --

3 Q. Who prescribed that to you?

4 A. I don't know her name. And when she prescribed it to
5 me, she sent me to the -- to get an assessment with
6 the Central Emotional Health Clinic. And the lady
7 that done this actually referred me to a physician,
8 that I see a physician -- I mean a --

9 Q. Psychiatrist?

10 A. Psychiatrist.

11 Q. And that's Dwayne?

12 A. Yes.

13 Q. So whether it was the doctor, whose name you can't
14 recall, the person who did the assessment --

15 A. The person who done the assessment, her last name is,
16 I believe, Brandon Fritz. I only visit her twice.

17 Q. So out of any of these healthcare professionals,
18 you've seen the doctor, Ms. Brandon Fritz?

19 A. Yes.

20 Q. Or Dwayne the psychiatrist?

21 A. Yes.

22 Q. Has anybody told you why you need this treatment? Why
23 you need this evaluation and this counseling and this
24 treatment for presumable emotional issues?

25 A. I mean, I guess -- they didn't say. They said, you